S.B.Cr.Misc. Bail App. No.4185/2007

(Hariya vs. State of Rajasthan)

Date of order : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Farzand Ali, for the petitioner.
Mr.V.R.Mehta, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers.

It is contended by the learned counsel for the petitioner that the injuries suffered by injured Bhura Ram are simple in nature. He has shown me the injury report of injured Bhura Ram. Injuries No.2 to 5 are said to have been simple in nature, however, the opinion on injury No.1 was reserved, which subsequently by X-Ray Report dt. 21.6.2007, the Radiologist opined that the injury is simple in nature. Learned counsel for the petitioner submits that the petitioner is in custody for over three months and the trial is likely to take a long time.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having regard to the facts and circumstances of the case and

taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Hariya s/o Mana Ram be released on bail in FIR No.181/2007, P.S. Sumerpur provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-